UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/897,232	07/02/2001	David James Stevenson	01-494	9022

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EXAMINER
DOAN, DUYEN MY

ART UNIT	PAPER NUMBER
2152	

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/897,232	STEVENSON ET AL.
	Examiner	Art Unit
	Duyen M. Doan	2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>31 August 2006</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-25* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>24 September 2001</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

08/31/06 has been entered. Claims 1-25 are amended for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-12, 14-16, 19-25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Justice, Jr. et al (us pat 6,418,469) (hereinafter Justice) in view of

Roytman et al (us pat 6,356,282) (hereinafter Roytman).

As regarding claim 1, Justice discloses receiving network management data

(col.1, lines 25-39), and determining if the network management data indicates the

resolution of a previous event generated by the network management system in

response to previously received network management data (col.1, lines 25-67, col.3,

lines 26-67; col.4, lines 1-33, also see Fig.5, the log represents the list of action and

recurring action, determine if the event in the log is resolved, then the management

program updates the event list in response to the condition being resolved, the previous

event is just an event in the log); removing said previous event from a memory of the

network management system (see Justice col.1, lines 38-39, col.3, lines 57-58, deleting

entries from event list, if determine if it is resolved).

Justice does note explicitly disclose changing a severity indicator of said previous

event dependent on said determining step; depending on said severity indicator.

Roytman teaches changing a severity indicator (see Roytman col.2, lines 18-33,

59-67 to col.3, lines 5, col.7, lines 1-21, lines 54-67; col.8, lines 1-21, the network

manager changing the state of the alarm).

It would have been obvious to one with ordinary skill in the art at the time the

invention was made to combine the teaching of Roytman to the method of Justice to

change the state of the alarm because by changing the state of the alarm would made it

easy to acknowledge the individual alarms and helpful to network management

personnel in identifying the cause of the alarm and its solution (see Roytman col.3, lines

31-43, col.7, lines 1-45).

As regarding claim 2, Justice-Roytman discloses if the network management

data indicates the resolution of a previous event, the method further comprises marking

the previous event as resolved (see Justice, Fig.8, mark date and time of resolved

event).

As regarding claim 3, Justice-Roytman discloses the network management

data is processed in response to the network management system receiving network

management data from the network (see Justice, col.1, lines 25-67).

As regarding claim 4, Justice-Roytman discloses the network management

data comprising values of a monitored characteristic of a part of the network for which

an event is generated if the monitored value exceeds a predetermined threshold (see

Justice col.3, lines19-67, col.4, lines 1-33; also see Fig.5, the log represents the list of

action and recurring action, determine if the event in the log is resolved, then the

management program updates the event list in response to the condition being

resolved, the previous event is just an event in the log), wherein an event list includes

an unresolved previous event for the monitored characteristic, wherein the step of

receiving network management data comprises receiving a value for the monitored

characteristic, and the step of determining comprises considering whether the

monitored value has been below the predetermined threshold for a preceding time

period, and if so determining that the received value indicates the resolution of the

unresolved previous event (see Justice col.3, lines19-67, col.4, lines 1-33; also see

Fig.5, the log represents the list of action and recurring action, determine if the event in

the log is resolved, then the management program updates the event list in response to

the condition being resolved, the previous event is just an event in the log).

As regarding claim 5, Justice-Roytman discloses in response to receiving the

network management data, comparing a first received value for the monitored

characteristic with the predefined threshold, and if the value is below the predefined

threshold, starting a timer, the timer expiring at the end a predefined time period (see

Justice col.3, lines 26-67, col.4, lines 1-33).

As regarding claim 6, Justice-Roytman discloses comparing each subsequent

received value for the monitored characteristic with the predefined threshold, and if any

value exceeds the threshold canceling the timer (see Justice col.3, lines 26-67, col.4,

lines 1-33).

As regarding claim 7, Justice-Roytman discloses when the timer expires,

determining that the monitored value has been below the predetermined threshold for .

the preceding time period (see Justice col.3, lines 26-67, col.4, lines 1-33).

As regarding claim 8, Justice-Roytman discloses periodically receiving a value

for the monitored characteristic (see Justice, col.4, lines 19-33); if a received value

exceeds a predetermined threshold for the monitored characteristic generating an event

(see Justice, col.3, lines 43-67, col.4, lines 1-17); and thereafter, periodically

considering whether the monitored value has been below the predetermined threshold

for a preceding time period, and if so determining that the event is resolved (see Justice

col.3, lines 26-67) and changing a severity indicator of said event (see col.2, lines 18-

33, lines 59-67 to col.3, lines 5, col.7, lines 1-21, lines 54-67; col.8, lines 1-21, the

network manager changing the state of the alarm); wherein the severity indicator

establishes whether the said event should be removed form a memory of the network

management system(see Justice col.1, lines 38-39, col.3, lines 57-58, deleting entries

from event list, if determine if it is resolved). The same motivation was utilized in claim

1 applied equally well to claim 8..

As regarding claim 9, Justice-Roytman discloses the preceding time period is

an immediately preceding predetermined time period, and the step of periodically

considering comprises considering whether the monitored value has been below the

predetermined threshold for the immediately preceding time period in response to each

subsequently received value (see Justice col.3, lines 19-67, col.4, lines 1-33).

As regarding claim 10, Justice-Roytman discloses the step of considering

determines that the event is resolved; the method further comprises marking the event

as resolved (see Justice Figure 8, mark the date of the resolved event).

As regarding claim 11, Justice-Roytman discloses the network management

data relating to an asynchronous Trap being received by the network management

system, wherein the step of determining comprises considering if the Trap indicates the

possible resolution of an event in an event log (see Justice, col.3, lines 14-67).

As regarding claim 12, Justice-Roytman discloses if the Trap indicates the

possible resolution of an event in an event log, the step of determining further

comprises considering whether the event log includes a previously received event that

is resolved by the Trap (see Justice col.3, lines 14-67).

As regarding claim 14, Justice-Roytman discloses the method processes

network management data previously received by the network management system and

stored in memory (see Justice col.3, lines 6-13, database store action list).

As regarding claim 15, Justice-Roytman discloses the step of receiving network

management data comprises receiving event data relating to an event stored in

memory, in response to a scan of previously generated events stored and included in

an event log (see Justice, col.2, lines 51-67).

As regarding claim 16, Justice-Roytman discloses the event data relates to a

recurring event and includes the time of the last occurrence of the event (see Justice

col.2, lines 51-67, Figure.8).

As regarding claim 19, Justice-Roytman discloses A method for processing

event data generated by a network management system during the monitoring of a

network (see Roytman col.2, lines 18-33, 59-67 to col.3, lines 5, col.7, lines 1-21, lines

54-67; col.8, lines 1-21, monitoring and displaying alarm in the log) the method

processing event data relating to events previously generated by the network

management system a plurality of times and which may be entered in the event log as a

recurring event (see Justice col.1, lines 25-67, col.3, lines 26-67; col.4, lines 1-33, also

see Fig.5, the log represents the list of action and recurring action, determine if the

event in the log is resolved, then the management program updates the event list in

response to the condition being resolved, the previous event is just an event in the log,

event 11000 appeared three times in the log, also see Figure.8, upgrade system Rom

appeared twice with two different time periods), determining if an event has already

been logged a predetermined number of times in an event list, and if so identifying a

recurring event to be processed from the event list (see Justice col.1, lines 25-67, col.3,

lines 26-67; col.4, lines 1-33, also see Fig.5, the log represents the list of action and

recurring action, determine if the event in the log is resolved, then the management

program updates the event list in response to the condition being resolved, the previous

event is just an event in the log, event 11000 appeared three times in the log, also see

Figure.8, upgrade system Rom appeared twice with two different time periods); and

considering whether the condition which caused the event to be generated has occurred

in a preceding time period (see Justice col.1, lines 25-67, col.3, lines 26-67; col.4, lines

1-33, also see Fig.5, the log represents the list of action and recurring action, determine

if the event in the log is resolved, then the management program updates the event list

in response to the condition being resolved, the previous event is just an event in the

log, event 11000 appeared three times in the log, also see Figure.8, upgrade system

Rom appeared twice with two different time periods).

   As regarding claim 20, Justice-Roytman discloses if the step of considering

determines that the condition which caused the event to be generated has not occurred

in the preceding time period, determining the event to be resolved (see Justice col.1,

lines 25-67, col.3, lines 26-67; col.4, lines 1-33, also see Fig.5, the log represents the

list of action and recurring action, determine if the event in the log is resolved, then the

management program updates the event list in response to the condition being

resolved, the previous event is just an event in the log).

   As regarding claim 21, Justice-Roytman discloses mark the event in the event

list as resolved (see Roytman col.2, lines 18-33, 59-67 to col.3, lines 5, col.7, lines 1-21,

lines 54-67; col.8, lines 1-21, mark the event cleared).

   As regarding claim 22, the limitations are similar to claim 1, therefore rejected

for the same rationale as claim 1.

As regarding claims 23-25, the limitations are similar to claims 1-4, therefore rejected for the same rationale as claims 1-4.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Justice, Jr. et al (us pat 6418469) (hereinafter Justice) in view of Roytman (us pat 6,356,282) and further in view of Arrowsmith et al (us pat 66,373,383) (hereinafter Arrowsmith).

As regarding claim 13, Justice considering if the Trap indicates the possible resolution of a event in an event log, and if so considering if the Trap indicates the possible resolution of a further event in the event log (see Justice col.3, lines 26-58, the network message Trap indicate the same problem or other problem has occurred, management application identify when a condition has been resolved)

Justice does not specifically disclose receiving a Trap from the network.

Roytman teaches receiving a Trap from the network (see Roytman col.1, lines 55-59; col.5, lines 53-65).

The same motivation was utilized in claim 1 applied equally well to claim 13.

The combination of Justice-Roytman does not teach determining if the received Trap is a reportable condition (see Justice col.3, lines 36-67; col.4, lines 1-33).

Arrowsmith teaches determining if the received Trap is a reportable condition (see arrowsmith col.4, lines 16-27, if the alarms pass the filter criteria, the alarm message is sent to the appropriate network management application).

It would have been obvious to one with ordinary skill in the art at the time the

invention was made to combine the teaching of Arrowsmith to the method of Justice-

Roytman to determine if the received trap is a reportable condition because by doing so

it would provide great control over which alarm get reported to network management

applications and to ensure consistency of reported alarms across multiple network

application (see Arrowsmith col.4, lines 65-67 to col.3, lines 1-2).

Claims 17-18, are rejected under 35 U.S.C. 103(a) as being unpatentable over

Justice, Jr. et al (us pat 6418469) (hereinafter Justice) in view of Roytman (us pat

6,356,282) as applied to claim 16 above and further in view of Gaffaney et al (us pat

5634008) (hereinafter Gaffaney).

As regarding claim 17, Justice-Roytman discloses all limitations of claim 1, 16

above but does not discloses comparing the present time with the time of the last

occurrence of the event, and, if the time difference is greater than a predetermined time

interval, determining that the event is resolved. Gaffaney teaches comparing the

present time with the time of the last occurrence of the event (col.3, lines 1-12), and, if

the time difference is greater than a predetermined time interval, determining that the

event is resolved (col.3, lines 1-12).

It would have been obvious to one with ordinary skill in the art at the time of the

invention was made to combine the teaching of Gaffaney to the method of Justice-

Roytman to have comparing the time of the events, if the time difference is greater than

a predetermined time interval, determining that the event is resolved for the purpose of

eliminating the need for maintenance of multiple timer and for recalculating time

intervals in order to determine whether or not prescribed threshold conditions

associated with a plurality of events associated with a plurality of devices in

communication network have been detected (see Gaffaney col.2, lines 14-29).

As regarding claim 18, Justice-Roytman-Gaffaney discloses the step of

determining determines that the event is resolved, the method further comprises

marking the recurring event as resolved (see Justice, col.2, lines 51-67, col.3, lines 1-

67, also see Fig.8, mark the date and time of the resolved event).

Response to Arguments

Applicant's arguments filed 8/31/06 have been fully considered but they are not

persuasive.

As regarding applicant's argument that the prior art does not teach "the removal

of an event from memory based on a severity indicator" examiner respectfully

disagrees, Justice teaches if deleting the entries from the event list if that entry is

resolved (i.e. not critical) (see Justice col.1, lines 38-39, col.3, lines 57-58). Roytman on

the other hand discloses changing the severity indicator of the event (see Roytman

col.7, lines 54-67, col.8, lines 1-21). It is obvious to one with ordinary skill in the

networking art would motivated to delete the event, depend on the severity indicator. It

is obvious to remove the event if the event is resolved (the severity level is low)

because by doing it would make it easier for the network administrator to look through

event list and determine which event need to be resolved.

As regard to Applicant's arguments with respect to claim 13 have been

considered but are moot in view of the new ground(s) of rejection.

As regard to applicant's argument that the prior art does not teach

"predetermined number of times in an event list" examiner respectfully disagrees,

"predetermined number of times" is just the number of times in the event list. Applicant

does not specifically define what is "the predetermined of times" in the specification.

Therefore, "the predetermined of times" is just "the number of times in the event list",

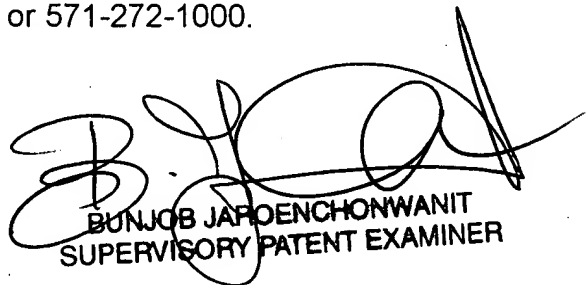Justice teaches the number of times in the event list (see Justice Fig.5).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner
Duyen Doan
Art unit 2152

BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER